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November 4, 2025

Via CM/ECF and Hand Delivery

Hon. Maryellen Noreika
U.S. District Judge
District of Delaware
Unit 19, Room 4324
844 N. King Street
Wilmington, DE 19801-3555

Re: Neuberger, et al. v. McQueen, et al., Civil Action No. 1:24-cv-00590-MN
Neuberger, et al. v. Bushweller, et al., Civil Action No. 1:25-cv-01341-MN

Dear Judge Noreika:

I am counsel for Plaintiffs in the two above-referenced related actions.

The pending Motion to Dismiss in the first case is now moot for the following reasons. The second case was filed on November 3, 2025. Both cases challenge the constitutionality of Delaware's Permit-to-Purchase Handgun statute ("Permit Bill"), which is scheduled to be enforced beginning November 16, 2025. As Your Honor may be aware, Plaintiffs have moved for expedited injunctive relief in the new action to enjoin that enforcement. I write briefly to explain why a new complaint was filed rather seeking injunctive relief or an amendment in the first action.

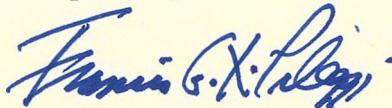
Since the first case was filed, several factual allegations in those pleadings have become obsolete, or moot, or no longer applicable. Also significant new developments have arisen—most notably, the State's failure to establish the infrastructure necessary to implement or administer the permit-to-purchase system enacted under the Permit Bill.

Given the resulting immediate and irreparable harm—and the urgency of obtaining relief before the law's effective date—the time required to seek an amendment, and to determine whether an amendment was allowable, would be incompatible with the exigent timetable for expedited injunctive relief sought in the new case. We are considering the most efficient means of addressing

Hon. Maryellen Noreika
November 4, 2025
Page 2

the overlap between the two cases, but, of course, would appreciate the Court's procedural instruction on this unusual situation.

Respectfully,



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(Bar No. 2624)

FGXP:mar

cc: Clerk of Court (via CM/ECF)
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